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GAU-2733

ATTORNEY DOCKET NO. 064731.0206

PATENT  
Serial No. 09/633,005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David G. Way  
Serial No.: 09/633,005  
Filing Date: August 4, 2000  
Group Art Unit: 2733  
Title: TRANSPORT SYSTEM WITH TUNABLE CHANNEL  
SPACING DWDM

RECEIVED  
OCT 10 2001  
Technology Center 2600

Honorable Assistant Commissioner  
for Patents  
Washington, D.C. 20231

Dear Sir:

I hereby certify that this  
correspondence is being deposited  
with the United States Postal Service  
"Express Mail Post Office to  
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the date indicated below and is  
addressed to: Assistant  
Commissioner for Patents,  
Washington, D.C. 20231.

Name

10-4-01  
Date of Signature

Express Mail No. EL 501000615US

**INFORMATION DISCLOSURE STATEMENT**

Applicant respectfully requests, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the references listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified patent application. A copy of these references are enclosed for the convenience of the Examiner. Furthermore, pursuant to 37 C.F.R. § 1.97(h), no representation is made that these references qualify as prior art or that these references are material to the patentability of the present application.

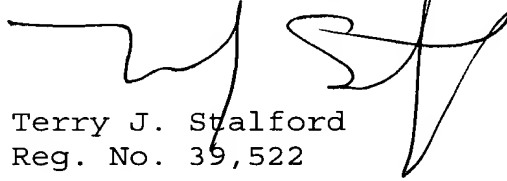
Pursuant to 37 C.F.R. § 1.97(b), Applicant believes that this Information Disclosure Statement has been filed before

the mailing date of a first Office Action in this case. Therefore, Applicant believes that no fee is due. However, if a fee is required, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorneys for Applicant



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